

Message Text

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ORIGIN EA-14

INFO OCT-01 ADP-00 SS-14 NSC-10 AID-20 CIAE-00 COME-00

EB-11 FRB-02 INR-10 NSAE-00 RSC-01 TRSE-00 XMB-07

OPIC-12 CIEP-02 LAB-06 SIL-01 SAL-01 OMB-01 PER-05

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DRAFTED BY EA/ RA: RSENER: NB

3/30/73 EXT. 23697

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EA/ VN: RROSENBERG

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R 302041 Z MAR 73

FM SECSTATE WASHDC

TO AMEMBASSY SAIGON

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E. O. 11652 N/ A

TAGS: ELAB, CPRS, VS

SUBJ: U. S. MISSION EMPLOYMENT POLICIES

1. WE HAVE RECEIVED A NUMBER OF COMPLAINTS RECENTLY ABOUT U. S. MISSION EMPLOYMENT POLICIES AS THEY AFFECT AMERICANS WHO ARE EMPLOYEES OR FORMER EMPLOYEES OF CONTRACTORS FOR THE US GOVERNMENT. THE MOST SEVERE CRITICISM OF THESE POLICIES COMES FROM GEORGE E. FISCHER, PRESIDENT OF THE OVERSEAS CRAFTSMAN' S ASSOCIATION INC., WHICH CLAIMS TO HAVE HAD A MEMBERSHIP OF MORE THAN 3,000 AMERICAN CIVILIANS IN VIETNAM.

2. A COPY OF MR. FISCHER' S MOST RECENT LETTER ON THE SUBJECT TO SENATOR CRANSTON, ALONG WITH SENATOR CRANSTONS COVERING LETTER TO THE DEPARTMENT, IS BEING AIRPOUCHED TO THE LABOR ATTACHE IN HIS ROLE AS EXECUTIVE SECRETARY OF THE CIVILIAN MANPOWER COMMITTEE (CMC). A COPY OF
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A FEBRUARY 13, 1973 LETTER ON THIS SUBJECT TO SENATOR CRANSTON WAS MAILED LAST MONTH TO CONSUL IVANCHUKOV, ACTING CMC SECRETARY.

3. IN THE MORE RECENT CORRESPONDENCE BOTH SENATOR CRANSTON AND MR. FISCHER RAISE THE POINT OF HOW VALID THOSE EMPLOYMENT POLICIES ARE TO THE CURRENT SITUATION. THIS QUESTION APPLIES PARTICULARLY (A) TO THE

30- DAY LIMIT FOR SEEKING NEW EMPLOYMENT BEFORE A CONTRACTOR EMPLOYEE MUST LEAVE THE COUNTRY AND (B) TO THE POLICY THAT MAKES HIM INELIGIBLE FOR EMPLOYMENT LATER IF HE NEGLECTS TO LEAVE AFTER THE 30- DAY PERIOD OF UNEMPLOYMENT.

4. MR. FISCHER ARGUES THAT THE CONTRACTORS SHOULD BE ALLOWED TO TAP THE SKILLS OF THESE UNEMPLOYED AMERICANS, AND THAT THE EMBASSY SHOULD NOT STAND IN THE WAY.

5. WE RECOGNIZE THAT THE EMBASSY' S MACHINERY FOR CONTRACTORS AND THEIR EMPLOYEES IS DESIGNED TO FACILITATE THEIR OBTAINING THE NECESSARY GVN WORK PERMITS AND OTHER GVN PAPERS, AND THAT THE RESTRICTIONS - SUCH AS THE 30 DAY PERIOD FOR JOB- HUNTING - WERE ADOPTED BECAUSE OF REQUIREMENTS FROM THE GVN.

6. HOWEVER, IN VIEW OF THE CRITICISM CITED, WE REQUEST THAT THE EMBASSY REVIEW THE RELEVANT POLICIES AND PROCEDURES WITH THE FOLLOWING QUESTIONS IN MIND:

A) WHATEVER THEIR VALIDITY IN THE PAST, ARE THE RESTRICTIVE POLICIES NEEDED IN TODAY' S SITUATION?

B) IS IT STILL TRUE THAT THE POLICIES ARE NOT UNILATERALLY THOSE OF THE EMBASSY BUT ACTUALLY REQUIRED BY THE GVN?

C) EVEN IF THE POLICIES ARE STILL JUSTIFIED, AND STILL REQUIRED BY THE GVN, IS THERE STILL GOOD REASON WHY THE USG SHOULD BE INVOLVED IN ENFORCING THEM?

7. IF THE ANSWERS TO THESE QUESTIONS ARE YES, WE WILL LIMITED OFFICIAL USE

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NEED A STATEMENT OF JUSTIFICATION FROM THE EMBASSY,

SUPPORTED BY RECENT DOCUMENTATION OF THE GVN POSITION.
PLEASE ALSO TAKE INTO ACCOUNT HOW THE RULES APPLY TO
SPECIAL CASES, SUCH AS AMERICANS MARRIED TO VIETNAMESE
WHO CANNOT OR DO NOT WISH TO LEAVE VIETNAM.

DECONTROL IN SIXTY DAYS. RUSH

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*** Current Handling Restrictions *** n/a

*** Current Classification *** LIMITED OFFICIAL USE

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts:
Control Number: n/a
Copy: SINGLE
Draft Date: 30 MAR 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE059057
Document Source: CORE
Document Unique ID: 00
Drafter: RSENER: NB
Enclosure: n/a
Executive Order: n/a
Errors: n/a
Film Number: n/a
From: SECSTATE WASHDC
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730343/aaaainsq.tel
Line Count: 125
Locator: TEXT ON-LINE
Office: ORIGIN EA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 05 DEC 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <05-Dec-2001 by martinml>; APPROVED <25 FEB 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> srp 980114
Subject: U. S. MISSION EMPLOYMENT POLICIES
TAGS: CPRS, ELAB, VS
To: SAIGON
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005